

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 30TH MARCH 2007 / 9TH CHAITHRA 1929

WP(C).No. 4545 of 2006(N)

PETITIONERS:

- 1. SIJI JOSE PAUL K.,
H.S.A. (PHYSICAL SCIENCE), ST.FRANCIS HIGH SCHOOL
FOR GIRLS, MATTOM, THRISSUR.**
- 2. JESILY JACOB,
H.S.A. (MALAYALAM), ST. FRANCIS HIGH SCHOOL FOR
GIRLS, MATTOM, THRISSUR.**
- 3. V.O. SOLVY,
H.S.A. (ENGLISH), ST. FRANCIS HIGH SCHOOL FOR
GIRLS, MATTOM, THRISSUR.**

**BY ADV. SRI.K.JAJU BABU
SMT.M.U.VIJAYALAKSHMI**

RESPONDENTS:

- 1. THE CORPORATE MANAGER,
ST. FRANCIS READING ASSOCIATION, MATTOM, THRISSUR.**
- 2. ST. FRANCIS READING ASSOCIATION,
MATTOM, THRISSUR, REPRESENTED BY ITS SECRETARY.**
- 3. THE DISTRICT EDUCATIONAL OFFICER,
CHAVAKKAD, THRISSUR.**
- 4. THE DEPUTY DIRECTOR OF EDUCATION,
AYYANTHOLE, THRISSUR.**

**BY ADV. SRI.DEEPU THANKAN
SRI.ELVIN PETER P.J.
GOVERNMENT PLEADER SMT.REMANI T.B.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 30/03/2007, ALONG WITH WPC NO. 4544 OF 2006 THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE APPOINTMENT ORDER DT.5.6.03 ISSUED TO THE 1ST PETITIONER ISSUED BY THE 1ST RESPONDENT.

EXT.P2:- COPY OF THE APPOINTMENT ORDER ISSUED TO THE 2ND PETITIONER BY THE 1ST RESPONDENT DT. 1.9.03.

EXT.P3:- COPY OF THE APPOINTMENT ORDER ISSUED TO THE 3RD PETITIONER BY THE 1ST RESPONDENT DT.25.10.99.

EXT.P4:- COPY OF THE APPOINTMENT ORDER ISSUED BY THE 1ST RESPONDENT TO THE 1ST PETITIONER DT.1.6.05.

EXT.P5:- COPY OF THE APPOINTMENT ORDER ISSUED BY THE 1ST RESPONDENT TO THE 2ND PETITIONER DT.1.6.05.

.EXT.P6:- COPY OF THE APPOINTMENT ORDER ISSUED TO THE 3RD PETITIONER BY THE 1ST RESPONDENT DT.23.1.06.

EXT.P7:- COPY OF THE ORDER NO.B6-5406/05/L.DIS DT.7.12.05 ISSUE BY THE 3RD RESPONDENT.

EXT.P8:- COPY OF THE ORDER NO.B6-5403/L.DIS DT 7.12.05 ISSUED BY THE 3RD RESPONDENT.

EXT.P9:- COPY OF THE APPEAL MEMORANDUM SUBMITTED BY THE 1ST RESPONDENT TO THE 4TH RESPONDENT DT.11.1.06.

EXT.P9(a):- COPY OF THE APPEAL MEMORANDUM SUBMITTED BY THE 1ST RESPONDENT TO THE 4TH RESPONDENT DT. 3.2.06.

RESPONDENTS EXHIBITS

EXT.R1(a):- COPY OF THE ORDER DT.11.9.06 .

EXT.R2(a):- COPY OF THE ORDER DT.23.12.68 ISSUED BY THE REGIONAL DEPUTY DIRECTOR OF PUBLIC INSTRUCTION.

EXT.R2(b):- COPY OF THE ORDER DT.11.3.02 ISSUED BY THE DIRECTOR OF HIGHER SECONDARY EDN.

EXT.R2(c):- COPY OF THE ORDER DT.22.3.02 ISSUED BY BY THE DIRECTOR.

.EXT.R2(d):- COPY OF THE ORDER DT.17.6.02 ISSUED BY THE DIRECTOR.

EXT.R2(e):- COPY OF THE LETTER DT.6.6.04 SUBMITTED BY SRLK.J.JOSE.

EXT.R2(f):- COPY OF THE MINUTES DT.3.12.04 OF ST.FRANCIS READING ASSOCIATION.

W.P.(C) NO. 4545/2006

EXT.R2(g):- COPY OF THE LETTER DT.8.12.04 SENT BY SRLK.J.JOSE TO THE D.E.O., CHAVAKKAD.

EXT.R2(h):- COPY OF THE NOTICE DT.2.2.05 ISSUED BY BY THE D.E.O.

EXT.R2(i):- COPY OF THE MINUTES DT.15.3.05 OF ST.FRANCIS READING ASSOCIATION.

EXT.R2(k):- COPY OF THE INTERIM ORDER DT.18.3.05 IN WP(C) NO.9193/05.

EXT.R2(l):- COPY OF THE JUDGMENT IN WPC NO.9193/05 DT.31.1.06.

EXT.R2(m):- COPY OF THE ORDER DT. 29.3.06 OF THE D.P.I.

EXT.R2(n):- COPY OF THE ORDER DT.17.5.06 ISSUED BY THE P.A. TO THE D.E.O CHAVAKKAD.

EXT.PE2(o):- COPY OF THE JUDGMENT DT.28.6.06 IN WP(C) NO.13660/06.

/TRUE COPY/

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KURIAN JOSEPH, J.

W.P.(C)Nos.4545 & 4544 OF 2006

Dated this the 30th day of March 2007

JUDGMENT

Petitioners in these writ petitions are aggrieved since their appointments are not approved apparently on the ground that there is dispute on the management. During the pendency of these writ petitions, it is submitted that the District Educational Officer has passed Ext.R1(a) order dated 11.9.2006. There will be a direction to the District Educational Officer to pass orders in the matter of approval of appointment of the petitioners in the light of Ext.R1(a) referred to above in case the same has attained finality. Even otherwise also, there will be a direction to the District Educational Officer to pass orders on the approval in case appointments are otherwise in order since it is settled law that the dispute on the management shall not affect approval of appointment of the teachers. The needful shall be done within a period of one month from the date of production of a copy of this judgment and the consequent benefits shall be

disbursed within another one month; if not, the officers responsible for the delay will be liable to pay interest to the petitioners at the rate of 12% from the date of their appointment.

These writ petitions are disposed of as above.

KURIAN JOSEPH, JUDGE

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